

Drs. Garfield and Wida
Pennsylvania

February 20, 2004

To Whom It May Concern,

My name is Dr. Robert B. Garfield. I'm an optometrist in **xxx** County, PA and would like to bring to the attention of interested parties a recent incident regarding an attempt by 1-800-CONTACTS to verify one of my patient's contact lens prescriptions.

In preparation for the recent law that has been put into place, my office created a form that provides for complete, accurate, and efficient transfer of information to anyone who calls in order to verify a contact lens prescription. We are not reactive in this situation. We are fully proactive and willing to uphold the law as written and freely communicate the specifications outlined in the law. When we receive a contact lens prescription request, we employ the handy form we have created to copy all necessary details of the request to insure accuracy and efficiency in communication.

The recent incident at hand involved an automated, computer-generated verification request received by my staff by telephone on February 17, 2004, at 14:39 PM, from 1-800-CONTACTS. The problems which ensued are enumerated as follows:

1. The computer from 1-800-CONTACTS recited information so quickly and quietly that my staff member could barely hear and write fast enough to copy the needed information. My staff member is most attentive, very efficient, and understands the importance of accuracy in these situations. She is a diligent and patient assistant of mine. The majority of the contact lens specifications were obtained by her, but the accuracy of the specifications was in doubt due to the rapid speed and low volume of the computer's voice.
2. The computer from 1-800-CONTACTS did not give my staff member an opportunity to review or save the automated recital for her review in order to insure accuracy.
3. The computer from 1-800-CONTACTS did not offer my staff member an opportunity to page a human being during the conversation. A human contact person and phone number from 1-800-CONTACTS were provided, but.....
4.When I attempted to call the contact person directly (on three separate occasions) an automated computer response replied saying, "Thank you for calling. Goodbye." and hung up.

In attempting to verify the information received, it became evident that the patient we had served had a different address and a somewhat different contact lens prescription than the one we had on record. We didn't know if 1-800-CONTACTS had the right patient, let alone the correct contact lens prescription. We tried to call the patient directly, but her phone number was no longer in service.

After deliberating for about thirty minutes, I took it upon myself to call 1-800-CONTACTS by phone directly. Through a query, I was able to determine that my patient had indeed made a request to purchase from 1-800-CONTACTS, but the order differed from the automated computer request we had received just a short while earlier. Only after taking it upon myself to educate 1-800-CONTACTS of the errors in their system was I able insure that the information they were to utilize would be accurate and valid for my patient.

Now, I have further concerns about the techniques that 1-800-CONTACTS employs to verify contact lens prescriptions. It seems that in the face of our sensible new law, they are content to continue to attempt to use computers to communicate with my staff, and those computers are incapable of delivering and receiving communications from human beings in a secure, sensible, and reliable manner. The safety of my patients and the accuracy of their prescriptions are at the mercy of 1-800-CONTACTS' computers, which possess no demonstrable level of intelligence.

With this incident, 1-800-CONTACTS demonstrates their willingness to circumvent the spirit of new law. 1-800-CONTACTS employs the tactics of obfuscation and one-way communication in order to sell more contact lenses, while they consciously fail to exercise due care in the verification of our patients' contact lens prescriptions.

I appreciate your willingness to review this incident in the ongoing efforts to clearly set the rules of the Fairness To Contact Lens Consumers Act.

Sincerely,
Robert B. Garfield, O.D.